

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
CREATION OF A LOW POWER RADIO) MM Docket No. 99-25
SERVICE)

To: Office of the Secretary

COMMENTS REGARDING “LOCAL COMMUNITY RADIO ACT OF 2010”

The Cromwell Group, Inc. of Illinois, Hancock Communications, Inc., Two Petaz, Inc., WEJT, Inc., WHQQ, Inc., WLME, Inc., WSHY, Inc., WYCQ, Inc.,¹ Sierra Broadcasting Corporation,² Kaskaskia Broadcasting, Inc., Virden Broadcasting Corp.³, East Kentucky Broadcasting Corporation, East Kentucky Radio Network, Inc.⁴, Milner Broadcasting Company⁵, Priority Communications, Inc.⁶, Cool Radio, LLC⁷, Carl Tuter, Philip H. Hayes, Bond Broadcasting, Inc.⁸, East Arkansas Broadcasters, Inc.⁹, and K95.5, Inc.,¹⁰ each of which have pending Auction #83 FM translator applications, hereby submit the following:

¹ Bayard H. (“Bud”) Walters is the 100% owner of The Cromwell Group, Inc. of Illinois, Hancock Communications, Inc., Two Petaz, Inc., WEJT, Inc., WHQQ, Inc., WLME, Inc., WSHY, Inc., and WYCQ, Inc. with radio stations in Tennessee, Kentucky, Indiana and Illinois.

² Rod Chambers is the president of Sierra Broadcasting Corporation with radio stations in California.

³ Randal J. (“Randy”) Miller is the 100% owner of Kaskaskia Broadcasting, Inc. and Virden Broadcasting Corp. with radio stations in Illinois.

⁴ Walter E. May is the 100% owner of East Kentucky Broadcasting Corporation and East Kentucky Radio Network, Inc. with radio stations in Kentucky and West Virginia.

⁵ Tim Milner is the president of Milner Broadcasting Company with radio stations in Illinois and Indiana.

⁶ Jay M. Philippone is the 100% owner of Priority Communications, Inc. with radio stations in Pennsylvania, West Virginia and Ohio.

⁷ Tom Dobrez is the 100% owner of Cool Radio, LLC with radio stations in Colorado.

⁸ John and Eleanor Kennedy are the 100% owners of Bond Broadcasting, Inc. with radio stations in Illinois.

⁹ Bobby Caldwell is the 100% owner of East Arkansas Broadcasters, Inc. with radio stations in Arkansas.

¹⁰ William H. (“Bill”) Payne is the 100% owner of K95.5, Inc. with radio stations in Oklahoma.

THE LOCAL COMMUNITY RADIO ACT OF 2010

1. By a recent act of Congress¹¹, the FCC's fundamental criteria for licensing new FM translator stations, new FM booster stations and new low-power FM stations was changed.

In the Local Community Radio Act of 2010, the law states that:

SEC. 5. ENSURING AVAILABILITY OF SPECTRUM FOR LOW- POWER FM STATIONS.

The Federal Communications Commission, when licensing new FM translator stations, FM booster stations, and low-power FM stations, shall ensure that—

(1) licenses are available to FM translator stations, FM booster stations, and low-power FM stations;

(2) such decisions are made based on the needs of the local community; and

(3) FM translator stations, FM booster stations, and low-power FM stations remain equal in status and secondary to existing and modified full- service FM stations.

As Section 5 of this new law addresses FM translator applications, it must be now be followed in the FCC's processing of pending Auction #83 FM translator applications¹².

2. The above-recited Section 5 of the Local Community Radio Act of 2010 is the only section of the new law that directly affects the processing of pending FM translator applications. Many of the undersigned commercial broadcasters desire to use FM translators for the rebroadcast of signal-deficient AM stations which has been acknowledged to be a substantial public interest benefit by the FCC.¹³ A number of commercial broadcasters, and the listening

¹¹ The Local Community Radio Act of 2010, H.R. 6533, 111th Congress, 2^d Session.

¹² See e.g. *FM Translator Auction Filing Window and Application Freeze*, DA 03-359, February 6, 2003 for details regarding Auction #83 FM translator applications and procedures.

¹³ The restriction on using newly-granted FM translator applications for re-broadcasts of AM signals is not a part of this MM Docket No. 99-25 but rather is an issue in petitions for reconsideration in MM Docket No. 07-172. Therefore, there is no further discussion of this current restriction, other than to note that each of the undersigned supports a relaxation of this current policy as it is believed that Section 5 of the Local Community Radio Act of 2010 fully addresses the public interest concerns that led the Commission to impose this unusual and radio listener-adverse restriction in the first instance.

public, have now been waiting more than seven years since filing Auction #83 FM translator applications for the enhanced service that such applications will provide when acted upon.

AUCTION #83 TRANSLATOR APPLICATIONS MAY NOW BE GRANTED PROVIDED FCC ENSURES LICENSES ARE AVAILABLE TO LOW-POWER FM AND BOOSTER STATIONS

3. The Local Community Radio Act of 2010 directs the FCC when licensing new FM translator stations such as those currently pending from the Auction #83 proceedings to “ensure that .. licenses are available to low-power FM stations [and when a decision must be made between licensing an FM translator application, an FM booster station, and a low-power FM station, that] such decisions are made based upon the needs of the local community (emphasis added)”. Many of the recent filings in MM Docket No. 99-25 have expressed concerns that a grant of a currently pending FM translator application in a particular community, even if there is a cap of ten applications as ordered by the FCC in *Creation of a Low Power Radio Service*, 22 FCC Rcd. 21912 (2007) (the “Third Report”), will foreclose a low-power FM station.¹⁴

4. The concern that a new FM translator license might foreclose a low-power FM license is now addressed in new Local Community Radio Act of 2010. Under the plain and straightforward reading of Section 5 of the Local Community Radio Act of 2010, the FCC cannot reject or fail to license a new Auction #83 translator application to a particular community if the FCC “ensures” that there is spectrum space for a low-power FM license and a

¹⁴ See e.g. *Letter from Common Frequency* dated November, 12, 2010 (concern that very few LPFM channels would be available in urban areas if FM translator applications granted); *Letter from Media Mobilizing Project* dated November 24, 2010 (advocating a solution that preserves spectrum for LPFM); *Letter from CHIRP* dated November 16, 2010 (advocating opportunities to license new LPFM’s in urban areas); *Letter from DUBLAB* dated December 18, 2010 (concern that translators will take all of the available spectrum for a particular community); *Letter from 2781 Consortium* dated December 20, 2010 (concern that six translators could be licensed to San Francisco area while only two LPFMs might be licensed); and *Letter from Radio 23* dated December 8, 2010 (worried that no LPFM channels will be available in Portland).

FM booster license in that same community.¹⁵ Thus, when spectrum space for licensing a low-power FM station and an FM booster station is shown by a new translator applicant, the comparison required by Section 5(2) of the new law is not invoked, and the FCC may immediately license a new Auction #83 FM translator station in communities that have spectrum space for a low-power FM license and an FM booster license.

THE PROCESSING OF AUCTION #83 FM TRANSLATOR APPLICATIONS SHOULD NOW PROCEED WITH A SHOWING THAT ENSURES LOW-POWER FM AND FM BOOSTER SPECTRUM SPACE

5. The next step in the processing of the Auction #83 FM translator applications is a settlement window. In *FM Translator Auction Filing Window and Application Freeze*, DA 03-359, February 6, 2003 (hereafter, the “Public Notice”), the Commission stated that:

MB and WTB will issue a public notice identifying mutually exclusive applications received during the window. This public notice also will specify a settlement period for resolving application mutual exclusivity by the filing of technical amendments, dismissal requests, and requests for approval of universal settlements.

Nothing in the Local Community Radio Act of 2010 requires any change in such settlement procedure. Further, the FCC in the Public Notice at Appendix A stated that:

Commercial applications that remain mutually exclusive after the settlement period closes will proceed to auction.

Again, nothing in the Local Community Radio Act of 2010 requires any change in such auction procedures.

6. What the Local Community Radio Act of 2010 does require is that, if the FCC licenses a new FM translator station without a Section 5(2) comparison, it must ensure that there

¹⁵ The genesis of the requirement for FM booster stations to the Local Community Radio Act of 2010 is unclear from its legislative history. Neither the December 14, 2009 Report to the House of Representatives from the Committee on Energy and Commerce (H.R. Report 111-375) regarding H.R. 1147 (the House of Representatives’ predecessor bill to this law), nor the March 9, 2010 Report to the Senate from the Committee on Commerce, Science and Transportation (S. Report 111-160) regarding S. 592 (the Senate’s predecessor bill to this law), referenced FM booster stations in the respective Sections 5 and 6 of the House and Senate bills. Nonetheless, the requirement that the FCC ensure that licenses are available to FM booster stations in a particular community is now part of the law.

is spectrum space available for a low-power FM license and an FM booster license in the same community. This is easily done under current FCC procedures for processing FM translator applications.

7. The requirements of the Local Community Radio Act of 2010 are specific enough that no further FCC rule making or other proceedings need be conducted to implement Section 5 of the new law as it applies to processing of Auction #83 FM translator applications. All the Commission needs to do is to issue a public notice stating that any long-form FCC Form 349 application filed by an Auction #83 FM translator applicant, either as a result of a settlement or as a result of prevailing in an auction, in order to be immediately granted must contain a showing that there is spectrum space for a low-power FM license and an FM booster license in the same community. This is referred to as the “ensure” showing below.

8. Such an “ensure” showing in the FCC Form 349 long-form FM translator application would be subject to public comment after being accepted for filing (*see* Section 1.2108 of the Commission’s rules). If no petition to deny is filed, and the FCC otherwise finds that the application is in accord with its standards for a grant including the showing that there is spectrum space for a low-power FM license and an FM booster license, then the particular Auction #83 FM translator construction permit application should be expeditiously granted. If, however, a petition to deny is filed stating that there is no spectrum space for a low-power FM license and an FM booster license and the Commission finds there is not, then the application should be held in abeyance pending the FCC’s further rule making proceedings to implement the remainder of the changes in law contained in the Local Community Radio Act of 2010 including

the community needs analysis required by Section 5(2) of the Local Community Radio Act of 2010.¹⁶

EXAMPLES IN THREE MARKET SIZES OF LOW-POWER FM “ENSURE” SHOWINGS

9. Attached is a technical report titled “Analysis of Available LPFM and FM Booster Frequencies in Selected Communities” prepared by Charles M. Anderson of Anderson Associates with example “ensure” showings for a pending Auction #83 FM translator application in an unrated market, in a top 300 Arbitron rated market, and in a top 50 Arbitron rated market. Each of these example “ensure” showings contemplate a grant of the subject FM translator application, either through a settlement, or through an auction, but importantly do not assume the dismissal of any other pending FM translator applications. Because each of the FM translator applications in the examples is mutually-exclusive with other translator applications, either a settlement or auction may very well require the dismissal of other pending FM translator applications opening up additional spectrum space for low-power FM stations and FM booster stations. Thus, the attached “ensure” showings are conservative with respect to the availability of spectrum space for additional low-power FM stations.

10. No “ensure” examples are submitted for any of the top 10 rated markets (the major markets). It has been these markets for which there has been the most noise and heat generated by recent filings in this docket.¹⁷ There very well may not be the possibility of an “ensure” showing for a pending application in any or most of the major markets. If that is the

¹⁶ If multiple new FM translator licenses are proposed to be granted to a particular community as a result of settlement or auction, the Local Community Radio Act of 2010 would appear to contemplate by using the plural of “licenses” and “stations” that spectrum space for multiple low-power FM licenses and FM boosters also be available if desired. The FCC’s petition to deny process will allow for this issue to be raised and when raised, fully briefed and decided, and need not be decided as part of the process of allowing for Auction #83 FM translator applications to move forward. It is clear from the statute that every community must have the availability of spectrum space for at least one low-power license, one FM translator license, and one FM booster license for the Section 5(2) “needs of the local community” comparison to be avoided.

¹⁷ See e.g. Footnote No. 14

case, then there can under the new law be no immediate grants of FM translators in any of such markets (and possibly other smaller size communities in congested areas). Such pending FM translator applications will, pursuant to Section 5(2) of the Local Community Radio Act of 2010, need to await further FCC proceedings to make a decision on a grant or denial “based upon the needs of the local community”.

AN “ENSURE” SHOWING IN AN UNRATED MARKET

11. Exhibit 1 in the attached technical report is a sample “ensure” showing for the community of Whitesville, Kentucky which is not a part of any Arbitron rated market. Hancock Communications, Inc. has had an Auction #83 application pending since 2003 for Channel 250 in Whitesville, Kentucky (FCC File No. BNPFT-20030312BAB). Assuming that Hancock Communications, Inc. is able to either settle or win in an auction the construction permit for Channel 250 in Whitesville, Kentucky, the FCC must ensure that there exists a license for a low-power FM station and an FM booster station in Whitesville, Kentucky. As shown by Exhibit 1A, Channel 226L1 is available in Whitesville, Kentucky for a new 100 watt low-power FM license using the new spacing standards for low-power FM stations as set forth in the Local Community Radio Act of 2010, and as shown by Exhibit 1B, there is a channel for an FM booster license.

AN “ENSURE” SHOWING IN A TOP 300 MARKET

12. Exhibit 2 is a sample “ensure” showing for the community of Decatur, Illinois which is in Arbitron market #276. The Cromwell Group, Inc. of Illinois has had an Auction #83 application pending since 2003 for Channel 241 in Decatur, Illinois (FCC File No. BNPFT-20030312BBE). Assuming that The Cromwell Group, Inc. of Illinois is able to either settle or win in an auction a construction permit for Channel 241 in Decatur, Illinois, the FCC must ensure that there exists a license for a low-power FM station and an FM booster station in Decatur, Illinois. As shown by Exhibit 2A, Channel 300L1 is available in Decatur, Illinois for a

new 100 watt low-power FM license using the new spacing standards for low-power FM stations as set forth in the Local Community Radio Act of 2010, and as shown by Exhibit 2B, there is a channel for an FM booster license.

AN “ENSURE” SHOWING IN A TOP 50 MARKET

13. Exhibit 3 is a sample “ensure” showing for the community of Nashville, Tennessee which is in Arbitron market #44. WYCQ, Inc. has had an Auction #83 application pending since 2003 for Channel 255 in Nashville, Tennessee (FCC File No. BNPFT-20030312BCD). Assuming that WYCQ, Inc. is able to either settle or win in an auction a construction permit for Channel 255 in Nashville, Tennessee, the FCC must ensure that there exists a license for a low-power FM station and an FM booster station in Nashville, Tennessee. As shown by Exhibit 3A, Channel 263L1 is available in Nashville, Tennessee for a new 100 watt low-power FM station using the new spacing standards for low-power FM stations as set forth in the Local Community Radio Act of 2010 . For Nashville, the Section 3(b)(2) waiver standards in the Local Community Radio Act of 2010 are used to show the availability of a new 100 watt low-power FM license with conservative waiver standards identical to those now used under Section 74.1204(d) of the Commission’s rules for FM translator stations and as proposed in the *Third Report* at paragraphs 74-83. Further, as shown by Exhibit 3B, there is a channel for an FM booster license.

THE GRANT OF PENDING AUCTION #83 TRANSLATOR APPLICATIONS USING THE “ENSURE” STANDARD WILL NOT FORECLOSE ANY COMMUNITY FROM A LOW-POWER FM STATION, AND WILL MAKE AVAILABLE ADDITIONAL LOW-POWER FM STATIONS

14. The processing and granting now of Auction #83 FM translator applications by requiring the “ensure” showing as detailed above with the long-form application will not foreclose any community from a low-power FM station or FM booster station. Further, because

almost all of the remaining Auction #83 FM translator applications are mutually-exclusive, the grant of one application through a settlement or by auction will likely result in the dismissal of a daisy chain of other FM translator applications, each of which may now be blocking spectrum space for low-power FM stations. Thus, the expeditious processing and grant of Auction #83 translator applications by requiring an “ensure” showing will, at a minimum, show the availability of a low-power FM station in each community to which a pending Auction #83 FM translator application is granted, and likely free up spectrum space for a multitude of low-power FM stations.

WITH THE “ENSURE” SHOWING, THE TEN APPLICATION CAP IS NO LONGER JUSTIFIED FOR PROCESSING AUCTION #83 FM TRANSLATOR APPLICATIONS

15. In the Third Report, the FCC stated that “[a]lthough precise preclusionary calculations are not possible, we believe that the processing all of the approximately remaining 7,000 translator applications would frustrate the development of the LPFM service and our efforts to promote localism”.¹⁸ In support, the FCC cited an unverified third-party study stating that “16 percent of all census designated communities that otherwise would have LPFM channels available in their communities have been precluded by the [Auction #83] translator filings ...”.

16. Now that the Local Community Radio Act of 2010 has eliminated third adjacent channel spacings for low-power FM stations, and instituted a waiver standard as proposed by the FCC in the *Third Report* for second adjacent channel spacings for low-power FM stations, many more low-power FM stations may now be licensed across the country. Most importantly, however, the FCC need not, and indeed should not, rely upon an unverified third-party study to restrain a broadcast service (FM translators) that the Local Community Radio Act of 2010 itself has recognized is “equal in status” with low-power FM stations and FM booster stations.

¹⁸ *Third Report* at paragraph 53.

17. The February 19, 2008 Petition for Reconsideration of Educational Media Foundation in this docket amply sets forth why the forced dismissal of all but ten of an applicant's Auction #83 translator applications violates the applicant's procedural rights, why the Commission has not justified the forced dismissal of any translator application, and how the Commission acted arbitrarily and capriciously, and in an impermissibly retroactive manner, in adopting its number of ten forced application dismissals. None of these issues need to be decided, however, if the Commission eliminates any application cap for Auction #83 FM translator applications.

18. The elimination of an application cap is justified because requiring the "ensure" showing described above either will result in no frustration of low-power FM service in the subject community, or will result in the subject FM translator application being held in abeyance until such time as the FCC adopts rules and makes decisions as to how it will decide the needs of the local community pursuant to Section 5(2) of the Local Community Radio Act of 2010. The use of the "ensure" standard mandated by the Local Community Radio Act of 2010 makes an application cap of ten, or of any other number, wholly unnecessary and counterproductive to the purposes for which it was originally adopted. Thus, the application cap adopted in the Third Report should be eliminated.

CONCLUSION

19. With the passage of the Local Community Radio Act of 2010, the Commission should follow its established Auction No. 83 FM translator auction procedures and open a settlement window, and absent settlements, proceed to auction with commercial applications, while requiring that all long-form applications for new FM translators contain an "ensure" showing to be immediately granted. The Local Community Radio Act of 2010 requires that broadcasters seeking FM translators be accommodated as well as low-power FM broadcasters.

20. Accordingly, it is requested that the Commission immediately open a settlement window for existing Auction #83 FM translator applications, and thereafter proceed to an auction with applications for commercial facilities, consistent with the requirement in the Local Community Radio Act of 2010 that any applicant for a new FM translator license submit an “ensure” showing that the new FM translator license will not foreclose a low-power FM license and FM booster license in the same community in order to be immediately granted.

Respectfully submitted,

**THE CROMWELL GROUP, INC. OF ILLINOIS
HANCOCK COMMUNICATIONS, INC.
TWO PETAZ, INC.
WEJT, INC.
WHQQ, INC.
WLME, INC.
WSHY, INC.
WYCQ, INC.
SIERRA BROADCASTING CORPORATION
KASKASKIA BROADCASTING, INC.
VIRDEN BROADCASTING CORP.
EAST KENTUCKY BROADCASTING CORPORATION
EAST KENTUCKY RADIO NETWORK, INC.
MILNER BROADCASTING COMPANY
PRIORITY COMMUNICATIONS, INC
COOL RADIO, LLC
CARL TUTERA
PHILIP H. HAYES
BOND BROADCASTING, INC.
EAST ARKANSAS BROADCASTERS, INC.
K95.5, INC.**

By: /s/ John F. Garziglia
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Their Attorney

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January 7, 2011

ANALYSIS OF AVAILABLE LPFM AND FM BOOSTER FREQUENCIES IN SELECTED COMMUNITIES

An analysis of Whitesville, KY, Decatur, IL and Nashville, TN has been conducted to determine whether frequencies are available for LPFM and FM booster facilities. The analysis was based on existing FM allocation rules and policies with the exception of disregarding third adjacent channel spacings for LPFMs and in one case, Nashville, TN, using the long standing desired to undesired interference ratio technique.

Whitesville, KY

Exhibit 1A demonstrates that a new LPFM may be located on channel 226L1 at the community's reference point. There are also five other LPFM frequencies available.

A booster for station WSTO on channel 241 may also be located at the community reference point. See exhibit 1B.

Decatur, IL

Exhibit 2A demonstrates that a new LPFM may be located at 1.6 km west of the Decatur reference point on channel 300L1.

Exhibit 2B demonstrates that a booster for station WEJT may be located at the same location on channel 286.

Nashville, TN

Exhibits 3A and 3A1 demonstrated that a new LPFM on channel 263L1 in Nashville at ASR # 1050735 at a height of 100 meters above ground level using the interference ratio technique set forth in *Living Way Ministries, Inc.* (FCC02-244 at paragraph 12). The actual NEW LPFM interference to second adjacent channel station WRLT is 113 dBu or 35.1 meters¹. This contour will not reach any buildings or major roads from its mounting height of 100 meters (see attached aerial photograph).

Exhibit 3B demonstrates that a booster for station WUBT on channel 266 may be located at the Nashville reference point.

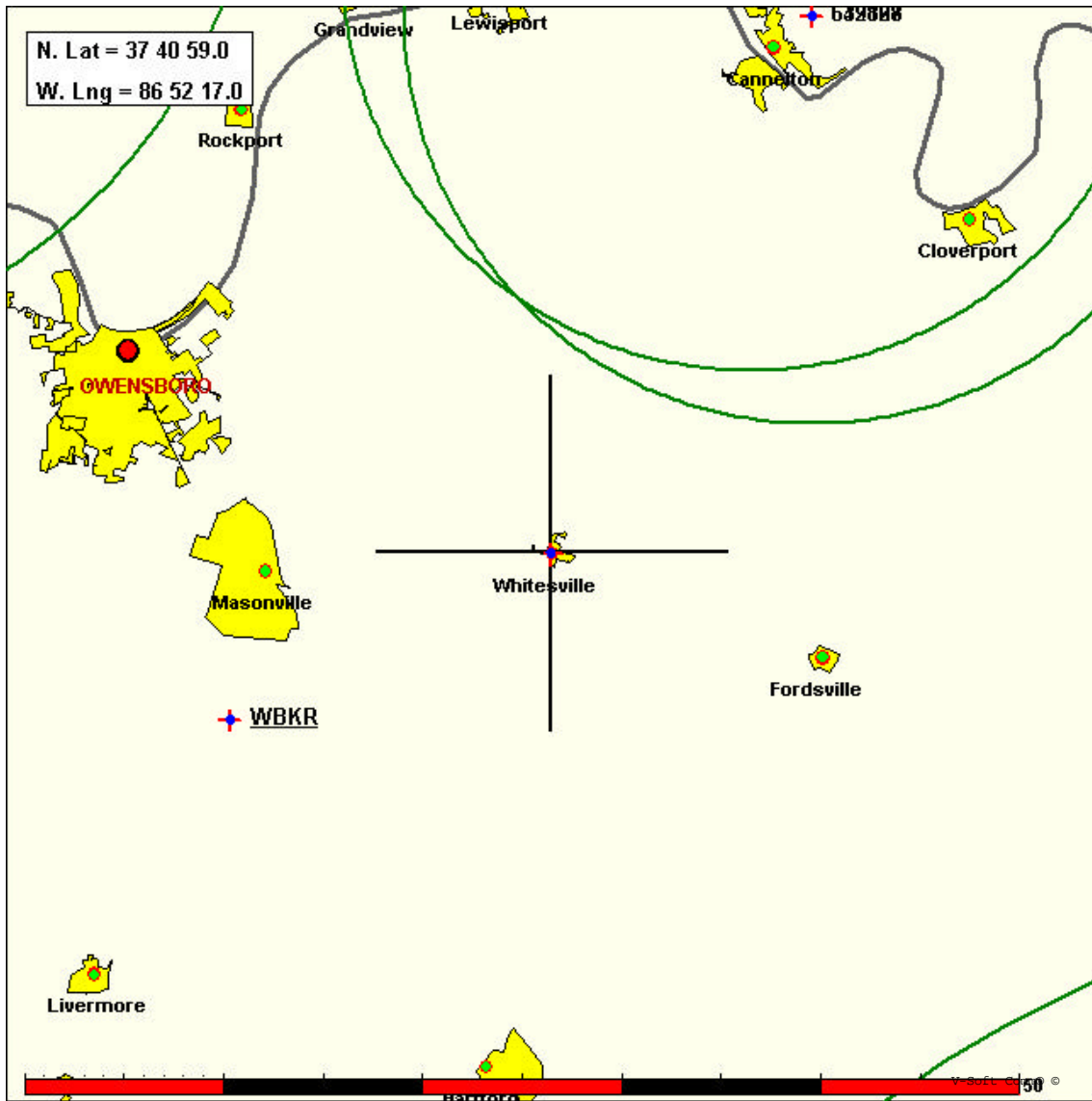


Charles M. Anderson
Anderson Associates
1519 Euclid Avenue
Bowling Green, KY 42103
270-782-0246

¹ This contour is based on the equivalent LPFM ERP of .005 kW at 132 meters HAAT.

CH 226 L1 93.1 MHz

EXHIBIT 1A - WHITESVILLE, KY LPFM CHANNEL AT COMMUNITY REFERENCE POINT



Call	CH#	Type	Location		Azi	D-KM	FCC	Margin
WBKR	223C	LIC	Owensboro	KY	242.7	18.2	92.5	-74.4(1)
632828	227D	APP	Cannelton	IL	25.9	30.0	20.5	9.5
649107	227D	APP	Cannelton	IN	25.9	30.0	20.5	9.5
632892	227D	APP	Tell City	IN	18.6	31.3	20.5	10.8
WLFW	228A	LIC-D	Chandler	IN	311.5	57.4	28.5	28.9

(1) Third adjacent ignored.

EXHIBIT 1B - WHITESVILLE, KY WSTO BOOSTER AT COMMUNITY REFERENCE POINT

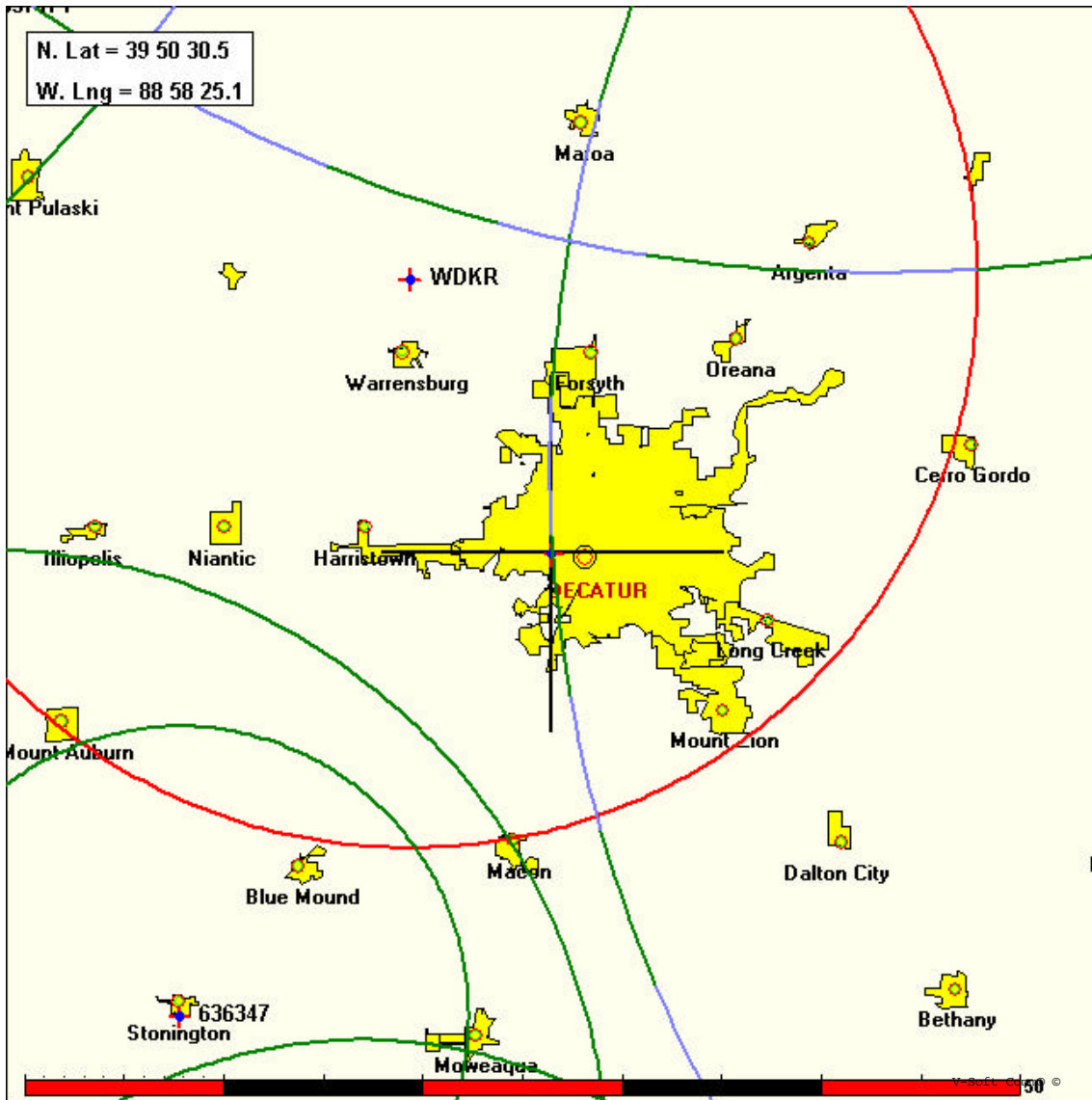
REFERENCE CH# 241D - 96.1 MHz, Pwr= 0.1 kW, HAAT= 30.0 M, COR= 179.2 M
 37 40 59.0 N.
 86 52 17.0 W. Omni-directional

CH CITY	CALL	TYPE STATE	ANT	AZI.	DIST FILE #	LAT. LNG.	Pwr(kW) HAAT(M)	INT(km) COR(M)	PRO(km) LICENSEE	*IN* (Overlap in km)	*OUT*
241C Owensboro	WSTO	LIC KY	CN	283.2 102.9	44.0 BLH19820601AO	37 46 20.0 87 21 27.0	100.000 305	172.8 427	73.0 South Central	-135.7* Communicatio	< -51.6*<
239B Jeffersonville	WQMF	LIC IN	CN	58.1 238.7	96.6 BLH19941125KC	38 08 16.0 85 56 05.0	28.500 196	5.4 387	49.4 Cc Licenses, Llc	85.4	45.3

Terrain database is FCC NGDC 30 Sec, R= 73.215 qualifying spacings or FCC minimum spacings in KM, M= Margin in KM
 Contour distances are on direct line to and from reference station. Reference Zone = 2, Co to 3rd adjacent.
 Ant Column: (D= DA Standard, Z= DA 73.215, N= Not DA 73.215, _= Omni), Polarization (C,H,V,E), Beamtilt(Y,N,X)
 "*"affixed to 'IN' or 'OUT' values = site inside protected contour.
 <= Contour Overlap

CH 300 L1 107.9 MHz

EXHIBIT 2A - DECATUR, IL LPFM
1.6 KM WEST OF COMMUNITY REFERENCE POINT



Call	CH#	Type	Location		Azi	D-KM	FCC	Margin
WDKR	297A	LIC	Maroa	IL	332.6	15.5	28.5	-13.0 (1)
WUIL	300A	LIC-N	Arcola	IL	86.2	66.5	66.5	0.04
651119	300D	APP	Taylorville	IL	222.5	42.5	31.5	11.0
636347	299D	APP	Stonington	IL	218.9	29.8	14.5	15.3
WIBL	299B1	LIC-Z	Fairbury	IL	10.5	89.0	73.5	15.5
640680	300D	APP	Pana	IL	190.8	50.8	25.5	25.3
W246BD	246D	LIC	Clinton	IL	1.9	34.5	4.5	30.1
W246BD	246D	CP	Clinton	IL	3.6	35.0	4.5	30.5

(1) Third adjacent ignored.

EXHIBIT 2B – DECATUR, IL WEJT BOOSTER **1.6 KM WEST OF COMMUNITY REFERENCE POINT**

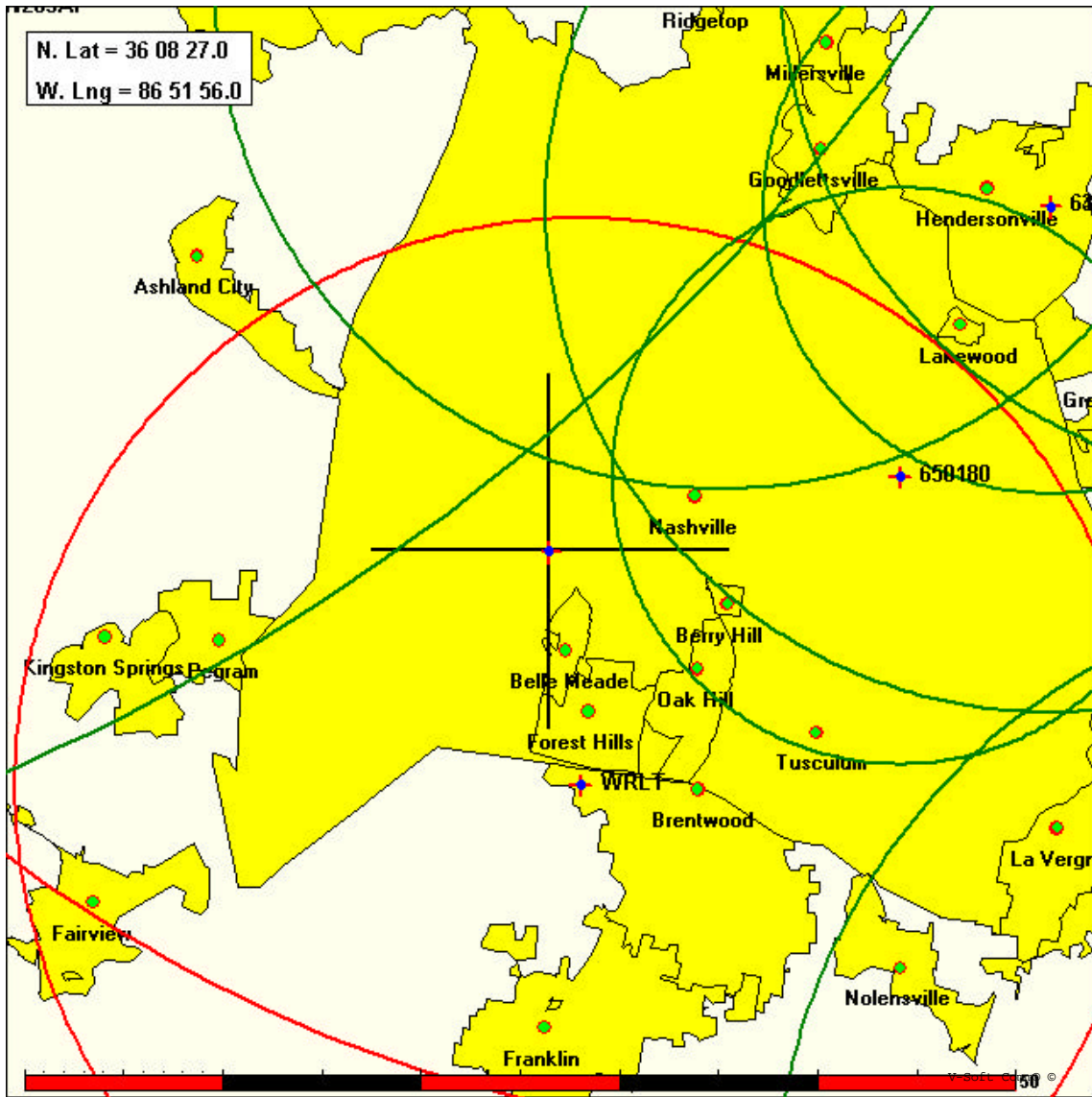
REFERENCE CH# 286D - 105.1 MHz, Pwr= 0.1 kW, HAAT= 30.0 M, COR= 231.3 M
 39 50 30.5 N.
 88 58 25.1 W. Omni-directional

CH CITY	CALL	TYPE ANT STATE	AZI. <--	DIST FILE #	LAT. LNG.	Pwr(kW) HAAT(M)	INT(km) COR(M)	PRO(km) LICENSEE	*IN*	*OUT* (Overlap in km)
286B1 Shelbyville	WEJT	LIC CX IL	158.3 338.4	29.6 BLH20020418ABE	39 35 38.0 88 50 45.0	13.000 142	104.5 344	37.9 The Cromwell Group, Inc. O	-80.4*<	-26.8*<
283B Springfield	WFMB-FM	LIC CN IL	261.3 80.9	58.8 BLH19830815AC	39 45 36.0 89 39 05.0	43.000 131	5.7 308	50.5 Neuhoff Family Limited Par	46.4	7.4
288A Monticello	WCZQ	LIC CX IL	55.9 236.2	41.2 BLH20080905ADX	40 02 54.0 88 34 25.0	6.000 100	2.8 308	29.3 Neuhoff Family Limited Par	32.6	10.0
287D McLean	W287BP	LIC C IL	313.7 133.4	48.4 BLFT20091118AGW	40 08 30.0 89 23 07.0	0.055 235	9.5	6.6 Cornerstone Community Radi	33.2	33.7

 Terrain database is FCC NGDC 30 Sec, R= 73.215 qualifying spacings or FCC minimum spacings in KM, M= Margin in KM
 Contour distances are on direct line to and from reference station. Reference Zone = 1, Co to 3rd adjacent.
 Ant Column: (D= DA Standard, Z= DA 73.215, N= Not DA 73.215, _= Omni), Polarization (C,H,V,E), Beamtilt(Y,N,X)
 "*" affixed to 'IN' or 'OUT' values = site inside protected contour.
 < = Station meets FCC minimum distance spacing for its class.
 < = Contour Overlap

CH 263 L1 100.5 MHz

EXHIBIT 3A - NASHVILLE, TN LPFM
AT ASR#1050735



Call	CH#	Type	Location		Azi	D-KM	FCC	Margin
WUBT	266C1	LIC	Russellville	KY	20.4	45.7	72.5	-26.8 (1)
WRLT	261A	LIC	Franklin	TN	172.5	11.8	28.5	-16.7 (2)
650180	264D	APP	Donelson	TN	78.0	18.1	14.5	3.6
631110	263D	APP	Ridgetop	TN	16.7	29.9	25.5	4.4
WVVR	262C0	LIC	Hopkinsville	KY	321.5	115.2	110.5	4.7
648405	263D	APP	Hendersonville	TN	55.5	30.7	25.5	5.2
632618	264D	APP	Hendersonville	TN	55.5	30.7	14.5	16.2

(1)Third adjacent channel ignored.

(2)Interference ratio used to disprove interference.

EXHIBIT E3A1

NEW LPFM

BLH4143

Latitude: 36-08-27 N

Longitude: 086-51-56 W

ERP: 0.005 kW

Channel: 263

Frequency: 100.5 MHz

AMSL Height: 307.0 m

Elevation: 207.0 m

Horiz. Pattern: Omni

NASHVILLE-DAVIDSON BOUNDARY

NEW CHANNEL 263 LPFM MOUNTED AT 100 METERS AGL AT ASR #105073
INTERFERENCE CONTOUR TO WRLT = $(73 \text{ DBU} + 40 \text{ DBU} = 113 \text{ DBU} = 35.1 \text{ METERS})$.

THIS CONTOUR WILL NOT REACH ANY BUILDING, OR MAJOR ROAD IN ACCORDANCE WITH
THE POLICY ESTABLISHED IN FCC-02-244, PARAGRAPH 12.

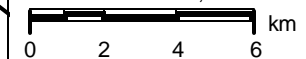
WRLT CHANNEL 261A
SERVICE CONTOUR = 73 DBU
AT THE PROPOSED NEW
NASHVILLE, TN LPFM SITE.

NEW LPFM

WRLT

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Scale 1:200,000



V-Soft Communications LLC ©

E3A1 MAP SHOWING PROPOSED LPFM SITE

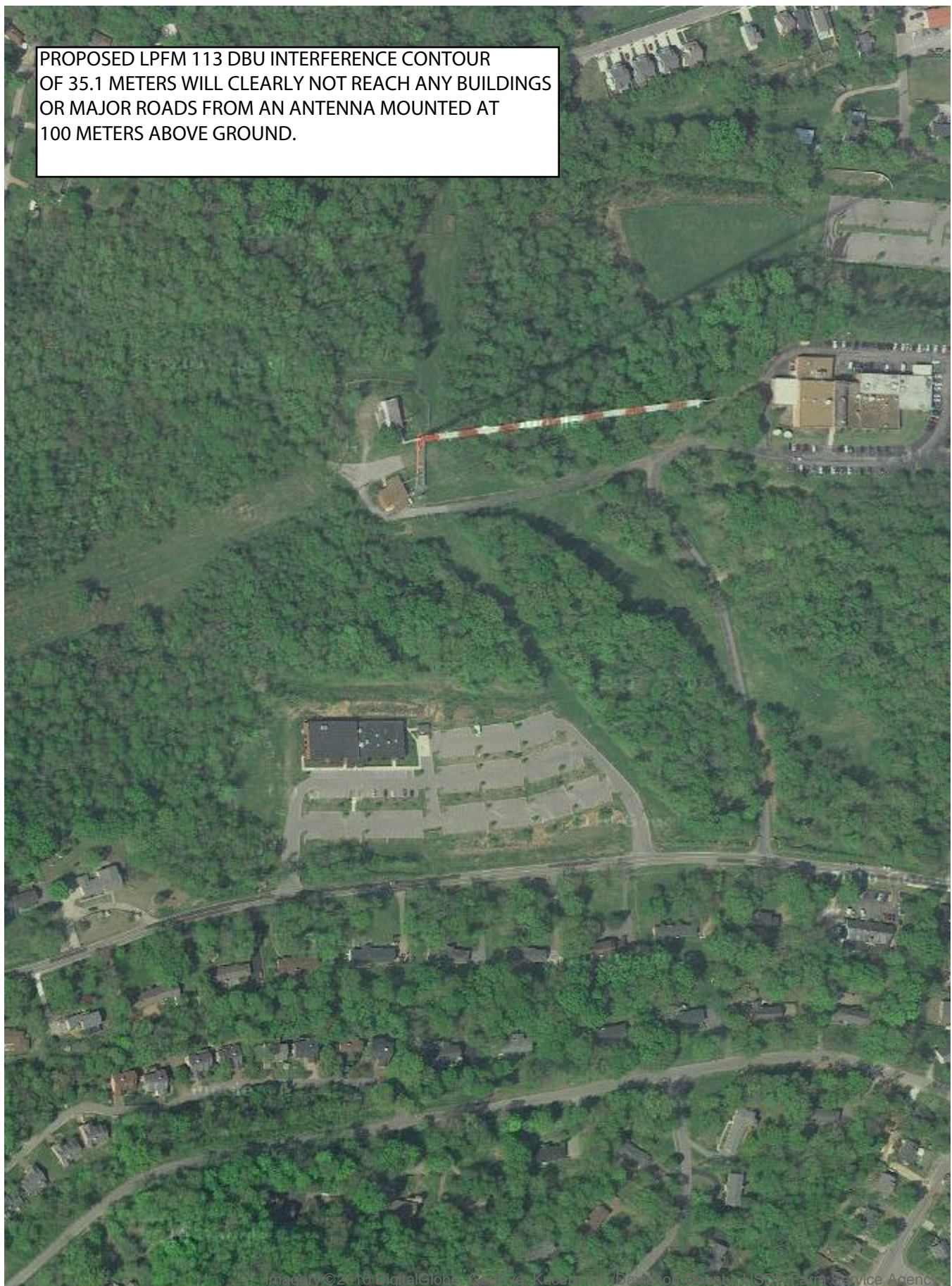


EXHIBIT 3B - NASHVILLE, TN WUBT BOOSTER AT COMMUNITY REFERENCE POINT

REFERENCE CH# 266D - 101.1 MHz, Pwr= 0.099 kW, HAAT= 30.0 M, COR= 192.6 M
36 09 57.0 N.
86 47 04.0 W.

CH CITY	CALL	TYPE STATE	ANT CN	AZI. <--	DIST FILE #	LAT. LNG.	Pwr(kW) HAAT(M)	INT(km) COR(M)	PRO(km) LICENSEE	*IN* (Overlap in km)	*OUT*
266C1 Russellville	WUBT	LIC KY	CN	12.2 192.3	41.0 BLH19900328KC	36 31 36.0 86 41 14.0	47.000 393	163.9 613	70.4 Capstar Tx Llc	-128.9*<	-47.9*<
268D Forest Hills	648483	APP TN	C	355.0 175.0	11.3 BNPFT20030317IFB	36 16 03.0 86 47 44.0	0.010 437	0.2	9.9 Educational Media Foundati	5.5	0.7
264D Donelson	650180	APP TN	C	84.7 264.7	10.4 BNPFT20030317MAU	36 10 28.0 86 40 09.0	0.018 241	0.3	6.7 Northwest Community	2.4	2.9
263D Hendersonville	648405	APP TN	C	51.0 231.1	23.2 BNPFT20030317IDK	36 17 48.0 86 35 01.0	0.027 230	0.4	7.2 Educational Media Foundati	15.5	15.3
264D Hendersonville	632618	APP TN	V	51.0 231.1	23.2 BNPFT20030310AWN	36 17 48.0 86 35 01.0	0.019 238	0.3	6.9 Calvary Chapel Of Twin Fal	15.5	15.6
268D Hendersonville	632621	APP TN	V	51.0 231.1	23.2 BNPFT20030310AWK	36 17 48.0 86 35 01.0	0.019 238	0.3	6.9 Calvary Chapel Of Twin Fal	15.5	15.6
263D Ridgetop	631110	APP TN	C	3.0 183.0	25.9 BNPFT20030310BEQ	36 23 55.0 86 46 09.0	0.010 302	0.2	5.7 Ridgetop Seventh-day Adven	20.1	19.5

Terrain database is FCC NGDC 30 Sec, R= 73.215 qualifying spacings or FCC minimum spacings in KM, M= Margin in KM
In & Out distances between contours are shown at closest points. Reference Zone = 2, Co to 3rd adjacent.
Ant Column: (D= DA Standard, Z= DA 73.215, N= Not DA 73.215, _= Omni), Polarization (C,H,V,E), Beamtilt(Y,N,X)
"*"affixed to 'IN' or 'OUT' values = site inside protected contour.